

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DANIEL WILLIAMS,

Plaintiff,

v.

DECISION AND ORDER
13-CV-680

E. MENDEZ, Correctional Sergeant,
EDWARD J. MEYER, Correctional Captain,
D. FERRON, Correctional Guard,
GARROW, Correctional Guard,
BARAN, Correctional Guard
WINAGLE, Registered Nurse,
D. POKIGO, Correctional Guard,
H. OBERTEAN, Physician Assistant,

Defendants.

This case was referred to Magistrate Judge Leslie G. Foschio pursuant to 28 U.S.C. § 636(b)(1)(B). On April 18, 2017, Magistrate Judge Foschio filed a Decision and Order (Dkt. No. 60) granting in part and denying in part plaintiff's motion for *in camera* review (Dkt. No. 52) and granting Defendants' request for sealing (Dkt. No. 56). The plaintiff has appealed Judge Foschio's Decision and Order. Dkt. No. 62.

A magistrate judge's non-dispositive orders, such as those at issue here, "may [be] reconsider[ed] . . . where it has been shown that the . . . order is clearly erroneous or contrary to law." 28 U.S.C. §636(b)(1)(A). *See also Sealed Plaintiff No. 1 v. Sealed Defendant No. 1*, 221 F.R.D. 367, 368 (N.D.N.Y. 2004) ("Magistrate judges are given broad discretion with respect to discovery disputes which should not be overruled absent a showing of clear abuse of discretion.") Upon such review, and after reviewing

the submissions from the parties, the Court affirms Judge Foschio's Order.

The case is referred back to Magistrate Judge Foschio for further proceedings.

IT IS SO ORDERED.

Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: May 12, 2017